

# City of Bremerton

## NOTICE OF INTENT TO OBTAIN CUSTODY

### VESSEL “Un-named” with WA Registration #WN 7286 SH”

The City of Bremerton declared the vessel “Un-named 24ft Sea Ray” and registration #WN 7286 SH, an emergency because it meets the criteria for temporary possession described under RCW 79.100.040(3). The City of Bremerton took temporary possession of the vessel and had it removed from Lions Park, Kitsap County, in order to prevent it posing a threat to human health and safety or the environment.

The City of Bremerton intends to take formal and full custody of the vessel on **September 10, 2021 (Custody Date)**. After taking custody, the City of Bremerton may use or dispose of it without further notice. The owner is responsible for all related costs.

**In order to keep the vessel, the owner must take the following actions before the Custody Date:**

- Pay the City of Bremerton back for costs incurred to date, **and**
- Move the vessel to an anchorage area, moorage facility, or storage location that authorizes the vessel.

If the owner wants to reclaim the vessel after the City of Bremerton has custody, or wants to challenge the City of Bremerton decision to take custody, the owner must file a written appeal with the Pollution Control Hearings Board (PCHB) and serve a copy on the City of Bremerton. Addresses are in the boxes below:

<b>Pollution Control Hearings Board</b> (send one original and one copy) <b>Physical address:</b> 1111 Israel Road Tumwater, WA 98501 <b>Mailing address:</b> PO Box 40903 Olympia, WA 98504-0903 <b>Phone:</b> 360-664-9160	<b>City of Bremerton PW</b> <b>Attn: Dave Carter</b> 100 Oyster Bay Ave N Bremerton, WA. 98312 360-473-5333
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The appeal must include the following information:

- A copy of this notice or a copy of the notification letter to the owner.
- Your name and address (mailing and legal, if different) and, if applicable, the name and address of your representative.
- A daytime phone number.
- A brief statement of why you are appealing.
- A statement of what you want the Pollution Control Hearings Board to do.
- Your signature or that of your representative. This signature certifies that the content of the appeal is true.

See <http://www.eluho.wa.gov/Board/PCHB> or call the PCHB at the number above with appeal questions.

The owner may submit the appeal immediately, but the PCHB must receive it no later than **October 10, 2021 (Appeal Date)**. **The owner waives the right to a hearing if the PCHB does not receive an appeal on or before the Appeal Date. The owner is then liable for any costs incurred by the City of Bremerton in responding to the vessel.** These costs may include all administrative costs incurred by **the City of Bremerton**, removal and disposal costs, and costs associated with environmental damages directly or indirectly caused by the vessel. If there is a law suit, the successful party may receive reasonable attorneys' fees and costs.

The City of Bremerton also may pursue any other remedies available under law. The City of Bremerton is taking this action under the authority of Chapter 79.100 RCW. You can find a copy of this law online at <http://apps.leg.wa.gov/RCW/default.aspx?cite=79.100>, or by contacting the City of Bremerton. **For more information regarding this action, contact DNR's Derelict Vessel Removal Program at (360) 688-0796 or [Jerry.Farmer@dnr.wa.gov](mailto:Jerry.Farmer@dnr.wa.gov).**